
COMBINED DECLARATION AND POWER OF ATTORNEY

**(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,
CONTINUATION, OR C-I-P)**

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is for an original application.

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am an original, first and joint inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

System and Method of Dynamic Load Balancing Across Processor Nodes

SPECIFICATION IDENTIFICATION

The specification is attached hereto.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56, and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent.

POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

APPOINTED PRACTITIONER(S)	REGISTRATION NUMBER(S)
Wei Wei Jeang	33,305
Marc A. Hubbard	32,506

I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO

Wei Wei Jeang
1400 Fountain Place
1445 Ross Avenue
Dallas, TX 75202-2790

DIRECT TELEPHONE CALLS TO:

Wei Wei Jeang
214-855-7510


Customer Number 23559

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Thomas A. Cain

Inventor's signature 

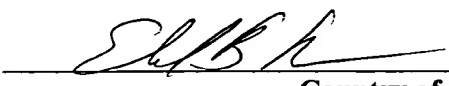
Date 8/18/2000

Country of Citizenship United States of America

Residence Plano, TX

Post Office Address 6905 Sweetwater Dr., Plano, TX 75023

Eliot B. Rosen

Inventor's signature 

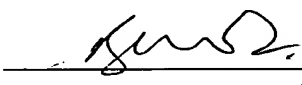
Date 8/18/00

Country of Citizenship United States of America

Residence Plano, TX

Post Office Address 2128 McDaniel Circle, Plano, TX 75075

Rajakumar V. Badri

Inventor's signature 

Date 08/18/00

Country of Citizenship India

Residence Plano, TX

Post Office Address 2001 E. Spring Creek Parkway, #12305, Plano, TX 75074

Allen C. Wah

Inventor's signature 

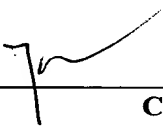
Date 8/18/00

Country of Citizenship United States of America

Residence Plano, TX

Post Office Address 4001 Clark Parkway, Plano, TX 75093

Joe Q. Vu

Inventor's signature 

Date 8-18-2000

Country of Citizenship United States of America

Residence Plano, TX

Post Office Address 7721 Cherry Creek Drive, Plano, TX 75025

Matthew C. Perry

Inventor's signature 

Date 8/18/00

Country of Citizenship United States of America

Residence Plano, TX

Post Office Address 3113 Copper Creek Drive, Plano, TX 75075

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**STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))--SMALL BUSINESS CONCERN**

Docket Number (Optional)
5019.7

Applicant, Patent Owner, or Inventor: Thomas A. Cain, et al.

Application or Patent No.: _____

Filed in _____

Title: System and Method of Dynamic Load Balancing Across
Processor Nodes

I hereby state that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Santera Systems Inc.

ADDRESS OF SMALL BUSINESS CONCERN 2901 Summit Avenue, Suite 100, Plano, Texas 75074

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☒ the specification filed herewith with title as listed above.
☐ the application identified above.
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.
☐ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

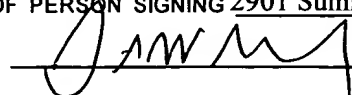
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING David W. Heard

TITLE OF PERSON IF OTHER THAN OWNER Chief Executive Officer

ADDRESS OF PERSON SIGNING 2901 Summit Avenue, Suite 100 Plano, TX 75074

SIGNATURE



DATE

August 9, 2000